

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 23, 2014

SEAN F. MCAVOY, CLERK

United States of America

v.

Case No. 4:14-mj-07139

DALE H. WEBER

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 09/24/2014 in the county of Benton in the Eastern District of Washington, the defendant violated 18 U. S. C. § 2422(b), an offense described as follows:

On or about and between September 24, 2014, and October 21, 2014, in the Eastern District of Washington and elsewhere, the defendant, DALE H. WEBER, did unlawfully and knowingly use any facility and means of interstate and foreign commerce to attempt to persuade, induce, entice, and coerce any individual who had not attained the age of 18 years to engage in any sexual activity for which any person can be charged with a criminal offense, including Revised Code of Washington 9A.44.076, rape of a child in the second degree, and attempt to do so, all in violation of Title 18, United States Code, Section 2422(b).

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.☒ Sworn to telephonically and signed electronically.☐ Sworn to before me and signed in my presence.Date: 10/23/2014City and state: Yakima, Washington

Jason K. Corcoran
Complainant's signature
JASON K. CORCORAN; SPECIAL AGENT
Printed name and title

James P. Hutton
Judge's signature
JAMES P. HUTTON, U.S. Magistrate Judge
Printed name and title



On September 24, 2014, TFO Bickford located a Craigslist ad for “tri-cities,WA>all personals>casual encounters”. The advertisement heading lists “seeking naughty young girl-m4w-43(Richland)”. TFO Bickford subsequently contacted the poster of the ad utilizing an undercover email account and posing as a thirteen (13) year old female named Kaylee Duncan. TFO Bickford communicated with the subject(s) utilizing both email and Google Voice, Voice Over Internet Protocol (VOIP).

The poster asked for “naughty pics” of Kaylee Duncan. The poster indicates a desire to have sexual intercourse with Kaylee Duncan indicating that she will not get hurt during the sex because “if we need lube, then we use it,” also indicating “if ur pussy gets wet we wont need lube.” The conversations continue with “dell” asking if Kaylee has ever engaged in oral sex and referring to sexual intercourse saying things such as, “I want to cum inside ur warm tight pussy” and “Tell me, that u want me to fuck u! that u want to feel my hard cock filling ur tight pussy.”

On October 1, 2014, “dell” speaks to Kaylee about meeting at a secluded park, “but only to talk, maybe kiss and touch.” Dell then follows up by asking Kaylee not to wear a bra because “...i want to touch ur tits” and not to wear panties “in case i want to touch ur pussy.” The two agree on Howard Amon Park in Richland, Washington. On October 1, 2014, surveillance was set up at the park and a blue 2010 Toyota Venza (registered to Dale H. WEBER and one other person, XXXX Crab Apple Circle, West Richland, Washington) arrived. TFO Bickford observed the vehicle drive through the parking lot near the boat launch at a slow rate of speed. The driver appeared to be looking around the area as he was driving. The driver then exited the vehicle and was identified by TFO Bickford as Dale H. WEBER. Kaylee later explained why she could not show up at the park.

Conversations continued between the two and they agreed to meet on October 17, 2014, in Umatilla, Oregon. Weber tells Kylee not to wear panties or a bra again. He talks about having sex indicating, “It wont hurt. If it does and u dont like then we stop and just kiss and i eat it.” He then

explains by “eat it” he means, “licking sucking ur pussy with my mouth.” Defendant then indicates, “if i leave ur pussy sore u will remember my cock.... But as i said...if it hurts u, and u dont want it, i pull it out...u got that?”

On October 17, 2014 at approximately 0643 hours, prior to the scheduled meeting between “Kaylee Duncan” and Weber, TFO Bickford observed a blue Toyota Venza in the driveway of XXXX Crab Apple Circle, West Richland, Washington. He observed a female walking to the Venza from the area of the open garage door. TFO Bickford also observed a Toyota Tundra parked inside the open garage. At approximately 0843 hours HSI SA D. Pitt observed the garage door open and a beige Toyota Tundra back out of the garage at XXXX Crab Apple Circle, West Richland, Washington. The vehicle was later seen crossing the Umatilla Bridge on southbound Interstate 82 south into Oregon. The vehicle was subsequently observed driving around multiple areas within and near the Umatilla Marina Park in Umatilla, Oregon. At approximately 1105 hours TFO Bickford observed and identified Dale H. WEBER in the driver’s seat of Washington vehicle license B78524H.

Revised Code of Washington 9A.44.076, rape of a child in the second degree reads as follows, “A person is guilty of rape of a child in the second degree when the person has sexual intercourse with another who is at least twelve years old but less than fourteen years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim.” Sexual intercourse “has its ordinary meaning and occurs upon any penetration, however slight, and . . . (c) Also means any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex.”